

EXECUTIVE COMMITTEE MEETING

9:30 A.M., Thursday, October 26, 2023

**Meeting Minutes**

**1) Open Meeting**

Voting Members in Attendance: Richard Williams, Sr. (Town of Patterson) for himself and Tony Goncalves (Town of Lewisboro); Warren Lucas (Town of North Salem); JoAnne Daley as alternate for James Schmitt (Town of Pawling); Michael Cazzari (Town of Carmel); Steve Woelfle as alternate for Robert Scorrano (Town of Somers)

Others in Attendance: Millie Magraw (Westchester County); Janet Anderson (Town of Lewisboro); Vincent Giorgio (NYCDEP); Christine Chale (Corporate Counsel); Cassandra Britton (Corporate Counsel); Kevin Fitzpatrick (EOHWC); Keith Giguere (EOHWC); Cory Lapidus (EOHWC)

**2) Approve Meeting Minutes of September 28, 2023**

Motion by Alternate Daley, seconded by Director Cazzari to approve the meeting minutes of September 28, 2023; all in favor.

**3) Financial Update**

Keith Giguere reported that there is a total of \$13,641,000 in cash and investments of which \$9,958,000 is FAD. The New York City Department of Environmental Protection has provided a status rating of “good” as it relates to the CRO-574 contract as of 2021. This is the same rating as we’ve received previously.

**5) Project Update**

Kevin reported that construction will begin on PC-MB-1000 next Wednesday. Work will continue through the winter with final stabilization in the spring.

We are looking forward to starting Y-MU-40 as soon as the agreements are finalized with the Army Corps of Engineers (ACOE). The hope was to get started on November 1. The contractor understands that we’re at the mercy of the federal government. It’s likely that it will be well underway by the November Executive Committee meeting.

We are currently finishing up NS-MU-601 with some final stabilization that needs to be done. Unfortunately, there has been some trouble with the soil there which we will continue to monitor to see whether the contractor needs to do anything, or if we can close it out. It’s been an extremely wet year and we don’t want to leave the site until we are fully confident that it is fully stabilized. In general, we have a few projects that we thought would be in construction by now which have hit some roadblocks.

The Lake Katonah project (L-MU-1017) in Lewisboro is still being reworked for design to get the cost

into an acceptable range. We are going to transition over to some of the projects that we had earmarked for the spring to try to get them going for winter construction. Fortunately, many of those are in good shape so we'll keep moving with them.

## **6) Woodard & Curran**

Director Williams explained that the most recent summary submitted by Woodard and Curran was discussed at the October Quarterly Board Meeting and it was decided that it would be tabled and brought back to the Executive Committee. The report they provided picked three projects. They are looking for the Board to agree with what they've selected so they can move forward. Director Lucas said that the work completed so far does not add up to what we've been charged. Both Kevin and Director Williams agreed with Director Lucas. Kevin looked back on the RFP and what was asked of Woodard and Curran up to this point. What is missing specifically is affected watersheds' gallons per day and the anticipated benefit from putting sewers in any of those areas. Director Williams pointed out that there is no discussion on alternatives either. Kevin indicated that would not come until later in the process, but he agrees that we should have a clear idea of whether that analysis should be done for sewer or septic, depending on the location. Christine said that 15 areas of concern were initially identified which data was provided for. Woodard and Curran was supposed to have conversations with all of the EOH communities and identify additional areas of concern. Kevin said he was not aware of the details of each individual conversation but per the table provided, they did speak with everybody. There is no way to tell whether the towns provided other areas and new ones for them to be looking into. Christine asked Kevin if this spans the list of projects or issues that were identified and if there were any in the report that weren't originally communicated to Woodard & Curran. Kevin indicated that he has not compared them. Director Williams said from last meeting we know they didn't reach out to the Village of Pawling. Kevin noted that he sees more study areas listed in the most recent report than we originally asked them to do. Christine asked if they missed any other municipality other than the Village of Pawling. Alternate Daley said that she is not sure that they contacted the Town of Pawling's supervisor, but they were provided with a map, plan and report which they might have based the information on that they provided. Director Lucas said he had to contact them numerous times to meet with him on what they provided for Croton Falls. Director Cazzari said that he has spoken with Anthony and Steve about another project that the Town of Carmel is running but they never scheduled a meeting about the number of sewers as they relate to this report. Kevin suggested we ask them to go back again and identify all the rest of those areas and provide more detail. As of right now, they've narrowed it down to three. If we choose to have them go back and look at everything all over again, he recommended that he and Cory sit down with every town supervisor and get the full list so we can understand exactly what's been communicated. Director Williams believed that might be a good first step to do what Kevin suggested. Millie Magraw said that she noticed there is no cost listed or how many residents it will benefit. The details are sparse. In terms of Mount Kisco, did they even look up this other area that is more continuous to Mount Kisco than New Castle. At the October Board meeting Ed Brancati mentioned that there is an area in Bedford that would be better suited than going through the Mount Kisco pump station. Christine said if we are going to ask Woodard & Curran to redo things, we will need to identify what was deficient and what the Corporation wants to see. Kevin will put the details of what is expected in a memo to Woodard & Curran. Director Williams said he agrees with Kevin's idea of him and Cory going back to every town and showing them the summary from Woodard & Curran to find out if they think it's adequate. If they don't think it's sufficient, then what additional data do they think should be included. Janet Anderson said much like EOH does a cost-benefit analysis, there is no sense of a benefit being derived according to the summary. Millie asked what was specified in the RFP. Kevin said for the start of their analysis, reports of analysis were provided to Woodard and Curran that had already been done. That encompassed 22 areas and 14 municipalities. From that they were to go and meet with all the towns, show them the reports we provided, and ask what their other concerns are. Then they were supposed to look at the analysis of all 19 municipalities and then come

back to the Executive Committee recommending the areas and projects that they recommend moving forward with. At that point the board would decide to move forward or revise the criteria. They would then provide a fairly comprehensive study with alternatives and ownership of all the regions for us to make the eventual submittal to the state. Christine said the summary report should have contained areas of concern, affected watershed, gallons per day of required of flows, anticipated benefit from sewerage the affected area, and anticipated costs. They were supposed to read the reports EOH provided and identify the things that were missing from that list. Director Williams said that based on what they've provided, he would be hard pressed to pick out which projects he would support moving forward with in a study because not enough information has been provided. Discussion ensued. Kevin said we need to give them a clear trajectory to go on because according to their summary, the goal appears to be very different. Director Williams said if we are thinking of modifying the scope, we should consider what Director Lucas was talking about by keeping all of the projects in and prioritizing them all. Woodard and Curran should give us a list of what they think the priority projects are, rank them, and give us the criteria on how they are ranked.

In conclusion, Kevin said that EOHWC staff will meet with municipalities as discussed. Once all that data is compiled, it will be determined whether we need to change the scope of the grant because the way it is written is different than the way it's being interpreted. We will have to determine what the next step is after they reach the milestone. Presently, no one is confident that they have relayed the information from the municipalities. Christine said that in the meantime, we need to request an extension of the grant. Kevin said he will reach out to arrange the extension. He mentioned that at one of the NYWEA seminars he and Cory attended, a presentation was done on a study of the East of Hudson repairing septic systems within Boyds Corner and Amawalk. It would be great if the Corporation could get access to any studies the NYCDEP is willing to share to close the gap on some of this information because it would be absolute folly for us to ask Woodard and Curran to repeat a study that the NYCDEP already has. He will send the name of the contact in a formal email to Vincent Giorgio. Vincent said he will look into it and provide whatever is available.

#### **7) Checks and vouchers**

Monthly vouchers were signed. No action taken.

**8) Motion by Director Williams, seconded by Director Cazzari to enter into Executive Session to discuss a matter involving litigation; all in favor.**

**9) Motion by Director Williams, seconded by Director Cazzari to come out of attorney/client session; all in favor.**

#### **10) Other business**

Director Williams requested that staff get prices on equipment to set up for remote meetings to increase the attendance of Board members at meetings.

**11) Adjournment - Motion to adjourn by Director Williams, seconded by Director Cazzari; all in favor. Adjourned 10:43 A.M.**

**PRESIDENT'S CERTIFICATE**

I certify that the foregoing is a true and correct copy of the October 26, 2023 meeting minutes approved by the Executive Committee.

  
\_\_\_\_\_  
Richard Williams, Sr., President

  
\_\_\_\_\_  
Date

**SECRETARY'S CERTIFICATE**

I certify that the foregoing is a true and correct copy of the October 26, 2023 meeting minutes approved by the Executive Committee.

  
JoAnne Daley, Secretary

  
Date